

COPY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.. )  
 )  
 Petitioner )  
 )  
 vs. )  
 )  
 ILLINOIS DEPARTMENT OF TRANSPORTATION, )  
 COOK COUNTY and VILLAGE OF WHEELING, )  
 )  
 Respondents. )  
 )  
 Petition of Wisconsin Central Ltd. seeking an )  
 order of the Illinois Commerce Commission )  
 directing that an additional track and grade )  
 crossing be constructed at Hintz Road )  
 (DOT 689-688H) on the Wisconsin Central Ltd. )  
 in Wheeling, Cook County, IL. )

DOCKET NO. T01-0031

RECEIVED  
APR 13 2001

Illinois Commerce Commission  
RAIL SAFETY SECTION

PETITION

Now comes Petitioner, Wisconsin Central Ltd. ("WCL") and petitions the Illinois Commerce Commission (the "Commission") for an order directing that an additional track and grade crossing be constructed at Hintz Road (DOT 689-688H) on the WCL in Wheeling, Cook County, IL. In support of its Petition, WCL states as follows:

1. WCL is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Illinois Department of Transportation is an agency of the State of Illinois and is subject to the jurisdiction of the Commission.
3. Cook County is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.
4. The Village of Wheeling is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

DOCKETED

5. WCL owns and operates a main line of railroad through Cook County continuing into Lake County and to the Wisconsin border. This mainline carries Canadian National trains in addition to WCL trains. This main line passes through the municipalities made party respondents to this action.

6. Metra currently operates ten commuter trains per day from Chicago to Antioch, Illinois on the WCL main line described in the preceding paragraph.

7. To improve safety and efficiency of Metra operations and to accommodate future additional Metra trains on WCL's main line, officials from the Engineering Department of WCL and Metra have determined that construction of an additional track, at grade, across Hintz Road in Wheeling is necessary to safely accommodate the current and projected Metra trains without interference from or delay caused by freight operations.

8. The WCL traffic (including Canadian National traffic) and timetable speed, current and projected Metra traffic and timetable speed, existing warning devices and existing crossing surface type are set forth in Exhibit A and incorporated herein by reference.

9. The proposed new construction at the grade crossing, the estimated cost and the proposed division of cost for implementing the work are also set forth in Exhibit A.

10. A construction plan for the project is attached hereto as Exhibit B and incorporated herein by reference.

11. WCL proposes that it will pay for the new construction and crossing proposed and set forth in Exhibit A, including relocation of existing warning devices, except that WCL proposes that the cost of motion sensors for a third track be paid out of the Grade Crossing Protection Fund.

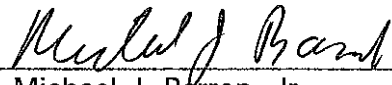
WHEREFORE, Petitioner Wisconsin Central Ltd. respectfully requests that the Commission:

- a. Set this matter for hearing with due notice to the parties;
- b. After hearing, enter an order directing Petitioner Wisconsin Central Ltd., to construct an additional track and grade crossing as set forth in Exhibits A and B;
- c. Apportion the costs involved among the parties as set forth in Exhibit A; and
- d. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Rosemont, Illinois this 10<sup>th</sup> day of April, 2001.

Respectfully submitted,

WISCONSIN CENTRAL LTD.

By:   
Michael J. Barron, Jr.  
General Attorney  
Wisconsin Central Ltd.  
P.O. Box 5062  
Rosemont, IL 60017-5062

## **EXHIBIT A**

Hintz Road  
Wheeling, IL  
DOT 689-688H

Rail freight traffic: - 30 trains per day.  
Timetable speed: 60 MPH.

METRA traffic: 10 trains per day  
(Metra proposes to increase this number to  
20 trains per day)  
Timetable speed: 79 MPH.

Existing warning devices: - Flashers/median flashers/gates & CWT circuitry.  
Proposed warning devices: Flashers/median flashers/gates/CWT circuitry for two  
tracks/motion sensors for one track

Proposed crossing surface: - Full depth rubber with timber and asphalt in the median.

## **COST ESTIMATES**

Construct one new track and crossing at Hintz Road	\$ 58,578.00
Relocate flashers/median flashers/gates for three tracks	\$ 24,044.00
Install motion sensors for one track	\$ 30,193.00

WCL proposes that it will pay for the new track and crossing at Hintz Road including relocation of warning devices, except that the cost of installing the new motion sensors should get paid out of the Grade Crossing Protection Fund.

## **ATTACHMENT/EXHIBIT**

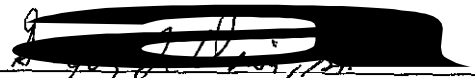
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COPY AVAILABLE FROM FORMAL FILE**

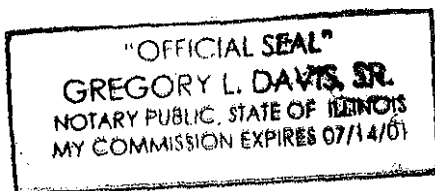
VERIFICATION

RANDY HENKE, being first duly sworn under oath, deposes and states that he is Vice President-Engineering of Wisconsin Central Ltd., that he has read the foregoing Petition of Wisconsin Central Ltd., and that the contents thereof are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
Randy Henke

Subscribed and Sworn to  
before me this 9<sup>th</sup> day  
of April, 2001.

  
\_\_\_\_\_  
/Notary Public



STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,	)	
	)	
Petitioner	)	
	)	
vs.	)	DOCKET NO. _____
	)	
ILLINOIS DEPARTMENT OF TRANSPORTATION,	)	
COOK COUNTY and VILLAGE OF WHEELING,	)	
	)	
Respondents.	)	

NOTICE OF FILING

Ms. Stacey C. Hollo  
Special Assistant Attorney General  
Illinois Department of Transportation  
2300 S. Dirksen Pkwy., Room 311  
Springfield, IL 62764

Mr. Wally Kos  
Cook County Superintendent of  
Highways  
69 W. Washington Street  
Chicago, IL 60602

Ms. Elaine Simpson  
Village Clerk  
Village of Wheeling  
225 W. Dundee Road  
Wheeling, IL 60090

Mr. William Tupper  
Metra  
547 W. Jackson Blvd.  
Chicago, IL 60661

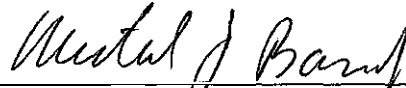
PLEASE TAKE NOTICE that we have on this 10th day of April, 2001, mailed for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s Petition in the above-captioned matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

By Michael J. Barron, Jr.  
Michael J. Barron, Jr.  
General Attorney  
Wisconsin Central Ltd.  
P.O. Box 5062  
Rosemont, IL 60017-5062  
(847) 384-5452

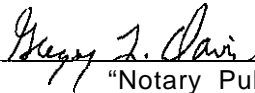
PROOF OF SERVICE

MICHAEL J. BARRON, J R., being first duly sworn, under oath, deposes and states that on behalf of Petitioner, he served the foregoing Petition upon the respondents made party to this proceeding by enclosing copies of the Petition in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 6250 N. River Road, Rosemont, IL on the 10<sup>th</sup> day of April, 2001.



Michael J. Barron, Jr.

SUBSCRIBED and SWORN to  
Before me this 10<sup>th</sup> day of  
April, 2001.



"Notary Public



Ms. Stacey C. Hollo  
Special Assistant Attorney General  
Illinois Department of Transportation  
2300 S. Dirksen Pkwy., Room 311  
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Village Clerk  
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